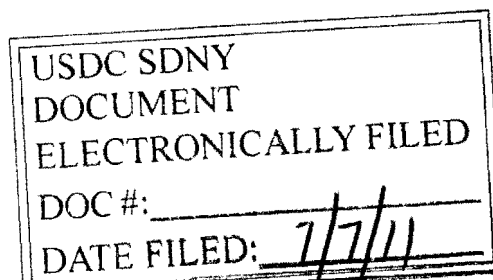


BLANK ROME LLP
COUNSELORS AT LAW

Phone: (215) 569-5646
Fax: (215) 832-5646
Email: Comisky-im@blankrome.com



July 6, 2011

MEMO ENDORSED**BY FACSIMILE (212) 805-7986**

The Honorable Paul G. Gardephe
United States District Court
for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007-1312

The Application is granted.**SO ORDERED:**

Paul G. Gardephe
Paul G. Gardephe, U.S.D.J.

Dated: *July 6, 2011*

Re: United States of America v. Richard Werdiger
Case No. 1:10-cr-00325

Dear Judge Gardephe:

We are writing in connection with the sentencing hearing in this matter which is currently scheduled for August 3, 2011. The U.S. Probation Officer requires at least two additional weeks to prepare the presentence report. Based upon this extension, and with the time limits in the rules with respect to circulation and objection to the presentence report, a rescheduled sentencing date at the end of August impinges on a pending vacation schedule. We, therefore, request, that the sentencing be postponed until after the Labor Day holiday. The undersigned has spoken to the assigned Assistant United States Attorney, Daniel Levy, and your law clerk about this matter, and we understand that the Court is first available during the latter portion of the week of September 19, 2011. The defense therefore requests that the sentencing be continued and scheduled for Thursday, September 22. The government has no objection to this request.

In addition, the parties have conferred and agreed upon a schedule for submission of memoranda in advance of sentencing. The U.S. Probation Officer has advised that she will release the draft presentence report to the parties on or before July 29. Assuming that the parties receive the draft PSR by that date, the defense is prepared to submit its sentencing memorandum by August 24. The government would submit its memorandum by September 9, and the defense would file a reply, if necessary, by September 16.



The Honorable Paul G. Gardephe
July 6, 2011
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Thank you for your consideration of this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ian M. Comisky".

Ian M. Comisky

IMC:emf

cc: Daniel W. Levy, AUSA (via email)
U.S. Probation Officer Susan Matthews (via email)